

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

| | | |
|------------------------------|---|-------------------------|
| In re: | § | Case No. 19-34054-sgj11 |
| | § | |
| HIGHLAND CAPITAL MANAGEMENT, | § | |
| L.P., | § | Chapter 11 |
| | § | |
| Debtor | § | |

| | | |
|----------------------------------|---|------------------------|
| OFFICIAL COMMITTEE OF | § | |
| UNSECURED CREDITORS, | § | |
| | § | |
| Plaintiff, | § | Adversary No. 20-03195 |
| | § | |
| vs. | § | |
| | § | |
| CLO HOLDCO, LTD., CHARITABLE DAF | § | |
| HOLDCO, LTD., CHARITABLE DAF | § | |
| FUND, LP, HIGHLAND DALLAS | § | |
| FOUNDATION, INC., THE DUGABOY | § | |
| INVESTMENT TRUST, GRANT JAMES | § | |
| SCOTT III IN HIS INDIVIDUAL | § | |
| CAPACITY, AS TRUSTEE OF THE | § | |
| DUGABOY INVESTMENT TRUST, AND | § | |
| AS TRUSTEE OF THE GET GOOD | § | |
| NONEXEMPT TRUST, AND JAMES D. | § | |
| DONDERO, | § | |
| | § | |
| Defendants. | § | |

NOTICE OF VOLUNTARY DISMISSAL WITHOUT PREJUDICE

PLEASE TAKE NOTICE that Marc S. Kirschner, as Litigation Trustee of the Litigation Sub-Trust established pursuant to the *Fifth Amended Plan of Reorganization of Highland Capital Management L.P.* [Bankruptcy Case, Dkt. No. 1472] (the “Plan”), which is substituted as plaintiff pursuant to the Plan, hereby gives notice that, pursuant to Rule 41(a)(1)(A)(i) of the Federal Rules of Civil Procedure, made applicable to this action by Rule 7041 of the Federal Rules of Bankruptcy

Procedure, the above-captioned adversary action is voluntarily dismissed in its entirety, without prejudice, against all Defendants and without the need for a Court order.

PLEASE TAKE FURTHER NOTICE that, as of the date hereof, none of the Defendants have filed or served an answer or a motion for summary judgment.

Dated: October 15, 2021

SIDLEY AUSTIN LLP

/s/ Juliana L. Hoffman

Paige Holden Montgomery

Penny P. Reid

Juliana L. Hoffman

2021 McKinney Avenue

Suite 2000

Dallas, Texas 75201

Telephone: (214) 981-3300

Facsimile: (214) 981-3400

-and-

Matthew A. Clemente (admitted *pro hac vice*)

Dennis M. Twomey (admitted *pro hac vice*)

Alyssa Russell (admitted *pro hac vice*)

One South Dearborn Street

Chicago, Illinois 60603

Telephone: (312) 853-7000

Facsimile: (312) 853-7036

-and-

**QUINN EMANUEL URQUHART &
SULLIVAN, LLP**

Susheel Kirpalani

Robert Loigman

Benjamin I. Finestone

Deborah J. Newman

Jordan Harap

Alexandre Tschumi

51 Madison Avenue, Floor 22

New York, NY 10010

Telephone: (212) 849-7000

*Counsel for Marc S. Kirschner, as Litigation
Trustee of the Highland Capital
Management, L.P. Litigation Sub-Trust*

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above and foregoing document was sent via electronic mail via the Court's ECF system to all parties authorized to receive electronic notice in this case on October 15, 2021.

/s/ Juliana L. Hoffman
Juliana L. Hoffman